

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------------------|-------------------------|---|----------------------|
| In re the application of | Youqi Wang, et al. |) | |
| | |) | Examiner: Unassigned |
| | |) | |
| | |) | Art Unit: 1745 |
| Application No.: | 10/642,352 |) | |
| | |) | |
| Filed: | August 15, 2003 |) | |
| | |) | July 22, 2004 |
| For: | SYSTEM FOR SYNTHESIS OF |) | |
| | ELECTRODE ARRAY |) | |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on July 22, 2004.

Signed: _____

Michelle R. Crosby

PETITION TO ESTABLISH PRIOR RECEIPT IN PTO OF PAGES OF SPECIFICATION
UNDER 37 C.F.R. 1.53(e)

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified patent application was filed on August 15, 2003. A Notice to File Missing Parts was not received until July 15, 2004 due to an error in the correspondence address entered by the PTO (see Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 C.F.R. 1.37(a), filed herewith). The Notice to File Missing Parts indicated that Page 1 of the specification was omitted.

Applicants submit that page 1 of the specification, attached hereto as Attachment A, was in fact filed in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers. Attached hereto as Attachment B is a date-stamped postcard receipt received from the USPTO. As indicated by the postcard, all 45 pages of the specification were received by the USPTO.

Attorney Docket No. SYMXP011

It is respectfully submitted that the foregoing clearly establishes that all pages of the above-identified patent application were filed with the USPTO. Accordingly, applicants hereby petition the Commissioner to include page 1 of the specification in the originally filed patent application accorded a filing date of August 15, 2003.

A Petition fee (37 CFR 1.17(h)) is submitted herewith. If any additional fees are due in connection with the filing of this Petition, the Commissioner is hereby authorized to charge such fees to our Deposit Account 50-1652, Order No. SYMXP011.

Respectfully submitted,



Cindy S. Kaplan
Reg. No.: 40,043

RITTER, LANG & KAPLAN LLP
12930 Saratoga Ave., Suite D1
Saratoga, CA 95070
Tel: 408-446-8690
Fax: 408-446-8691



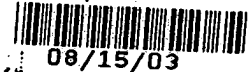
In the United States Patent & Trademark Office
FILING ACKNOWLEDGMENT

Mailing Date: August 15, 2003 Appl. No. Unassigned
Atty Docket: SYMXP011 Filing Date: August 15, 2003
Inventor: WANG, Youqi et al.
Title: System for Synthesis of Electrode Array

☒ Utility Patent Application Transmittal Form
☒ Specification, 45pgs
☒ Drawings, 7 sheets
☒ Return Postcard
Express Mail Label No. EV338318318US

03916 U.S. PTO

10/642352



08/15/03

Please stamp the date of receipt of the enclosed documents and return this card to addressee.



PTO/SB/21 (08-03)

Please type a plus sign (+) inside this box → ☐

Approved for use through 8/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

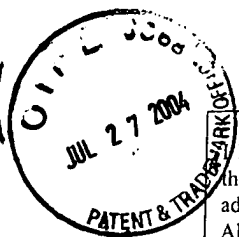
| | | | |
|---|-----------------------------|-------------------------------|----------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/642,352 | |
| | Filing Date | August 15, 2003 | |
| | First Named Inventor | WANG, Youqi et al. | |
| | Group Art Unit | Unassigned | |
| | Examiner Name | Unassigned | |
| Total Number of Pages in This Submission | | Attorney Docket Number | SYMXP011 |

| ENCLOSURES (check all that apply) | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Status Letter – Filing Receipt <input checked="" type="checkbox"/> Return Postcard <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 50-1652. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm and Individual name | RITTER, LANG & KAPLAN LLP Cindy S. Kaplan, Reg. No. 40,043 |
| Signature | |
| Date | January 20, 2004 |

| CERTIFICATE OF MAILING | | | |
|--|-----------------|-------------|------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown: January 20, 2004 | | | |
| Typed or printed name | Kimberly Melvin | | |
| Signature | | Date | January 20, 2004 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 20, 2004
Signed: Kimberly Melvin

Attorney Docket No.: SYMXP011
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
WANG, Youqi et al.) Group Art Unit: Unknown
Application No.: 10/642,352) Examiner: Unknown
Filed: August 15, 2003) Date: January 20, 2004
For: SYSTEM FOR SYNTHESIS OF ELECTRODE)
ARRAY)

REQUEST FOR STATUS

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby requests status of the above-referenced patent application. This application was filed on August 15, 2003, and no **Official Filing Receipt** has been received as of this date.

Respectfully submitted

Cindy S. Kaplan
Reg. No. 40,043

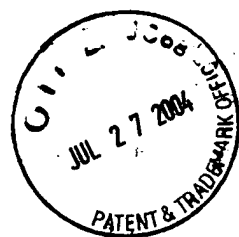
RITTER, LANG & KAPLAN LLP
12930 Saratoga Ave., Suite D1
Saratoga, CA 95070
(408) 446-8690

**In the United States Patent & Trademark Office
FILING ACKNOWLEDGMENT**

Mailing Date: January 20, 2004 Application No. 10/642,352
Atty Docket: SYMXP011 Filing Date August 15, 2003
Applicant: WANG, Youqi et al.
Title: System for Synthesis of Electrode Array
Atty/Sec: CSK/kam

☒ Transmittal Form
☒ Request for Status – Filing Receipt
☒ Return Postcard

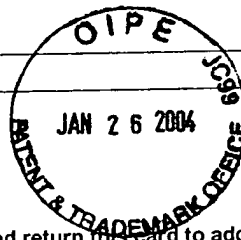
Please stamp the date of receipt of the enclosed documents and return this card to addressee



**In the United States Patent & Trademark Office
FILING ACKNOWLEDGMENT**

Mailing Date: January 20, 2004 Application No. 10/642,352
Atty Docket: SYMXP011 Filing Date August 15, 2003
Applicant: WANG, Youqi et al.
Title: System for Synthesis of Electrode Array
Atty/Sec: CSK/kam

- ☒ Transmittal Form
☒ Request for Status – Filing Receipt
☒ Return Postcard



Please stamp the date of receipt of the enclosed documents and return this card to addressee

Please type a plus sign (+) inside this box → ☒PTO/SB/21 (08-03)
Approved for use through 8/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|-----------------------------|-------------------------------|----------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/642,352 | |
| | Filing Date | August 15, 2003 | |
| | First Named Inventor | Youqi Wang et al. | |
| | Group Art Unit | 2188 | |
| | Examiner Name | Mano Padmanabhan | |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | SYMXP011 |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Status Letter (1 page) <input checked="" type="checkbox"/> Return Postcard (1 page) <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Stamped Postcard (1 page) ADS (4 pages) |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 50-1652. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm and Individual name | RITTER, LANG & KAPLAN LLP Cindy S. Kaplan, Reg. No. 40,043 |
| Signature | |
| Date | July 9, 2004 |

| CERTIFICATE OF MAILING | | | |
|--|--------------------|-------------|--------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown: July 9, 2004 | | | |
| Typed or printed name | Michelle R. Crosby | | |
| Signature | | Date | July 9, 2004 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Attorney Docket No.: SYMXP011

PATENT

Exhibit C
Pg 2 of 8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 9, 2004.
Signed:

Michelle R. Crosby

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/642,352 Confirmation No.: 5421
Applicant : YOUQI WANG et al.
Filed : August 15, 2003
TC/A.U. : 2188
Examiner : Mano Padmanabhan

Docket No. : SYMXP011
Customer No. : 26541
Title : SYSTEM FOR SYNTHESIS OF ELECTRODE ARRAY

REQUEST FOR STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request status of the above-referenced patent application. This application was filed on August 15, 2003, and no **Official Filing Receipt** has been received as of this date. For your convenience, enclosed is a copy of the stamped return post card, showing that the application was received and stamped by the U.S. Patent and Trademark Office, and an initial Application Data Sheet.

Respectfully submitted

Cindy S. Kaplan
Reg. No. 40,043

RITTER, LANG & KAPLAN LLP
12930 Saratoga Ave., Suite D1
Saratoga, CA 95070
(408) 446-8690
CSK/acc



RITTER, LANG, & KAPLAN LLP
NOV 8 8 2003
DOCKETED

RITTER, LANG, & KAPLAN LLP

NOV 26 2003

RECEIVED

In the United States Patent & Trademark Office
FILING ACKNOWLEDGMENT

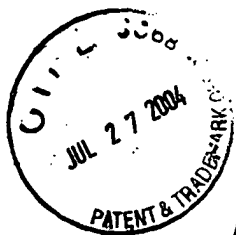
| | | | |
|---------------|---|--------------|-----------------|
| Mailing Date: | August 15, 2003 | Appln. No. | Unassigned |
| Atty Docket: | SYMXP011 | Filing Date: | August 15, 2003 |
| Inventor | WANG, Youqi et al. | | |
| Title | System for Synthesis of Electrode Array | | |

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Utility Patent Application Transmittal Form |
| <input checked="" type="checkbox"/> | Specification, 45pgs |
| <input checked="" type="checkbox"/> | Drawings, 7 sheets |
| <input checked="" type="checkbox"/> | Return Postcard |
| | Express Mail Label No. EV338318318US |

03916 U.S. PTO
10/642352

08/15/03

Please stamp the date of receipt of the enclosed documents and return this card to addressee



APPLICATION DATA SHEET

APPLICATION INFORMATION

Application Number:: 10642352
Filing Date:: 08/15/03
Application Type:: Regular
Subject Matter:: Utility
Suggested classification::
Suggested Group Art Unit::
CD-ROM or CD-R?:: None
Number of CD Disks::
Number of copies of CDs::
Sequence submission?::
Computer Readable Form (CRF)?::
Number of copies of CRF::
Title:: SYSTEM FOR SYNTHESIS OF ELECTRODE ARRAY
Attorney Docket Number:: SYMXP011
Request for Early Publication?:: No
Request for Non-Publication?:: No
Suggested Drawing Figure::
Total Drawings Sheets:: 7
Small Entity?:: No
Latin name::
Variety denomination name::
Petition included?:: No
Petition Type::
Licensed US Govt. Agency::
Contract or Grant Numbers::
Secrecy Order in Parent Appl.?:: No

APPLICANT INFORMATION

Applicant Authority Type:: Inventor

Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Youqi
Middle Name::
Family Name:: Wang
Name Suffix::
City of Residence:: Atherton
State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 302 Atherton Avenue
City of mailing address:: Atherton
State of mailing address:: CA
Country of mailing address:: US
Zip Code of mailing address:: 94027

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Ireland
Status:: Full Capacity
Given Name:: Martin
Middle Name::
Family Name:: Devenney
Name Suffix::
City of Residence:: Mountain View
State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 1311 Bonita Avenue
City of mailing address:: Mountain View
State of mailing address:: CA
Country of mailing address:: US
Zip Code of mailing address:: 94040

Applicant Authority Type:: Inventor
 Primary Citizenship Country:: China
 Status:: Full Capacity
 Given Name:: Ting
 Middle Name::
 Family Name:: He
 Name Suffix::
 City of Residence:: Dublin
 State or Province of Residence:: OH
 Country of Residence:: US
 Street of mailing address:: 5794 Norn Street
 City of mailing address:: Dublin
 State of mailing address:: OH
 Country of mailing address:: US
 Zip Code of mailing address:: 43016

CORRESPONDENCE INFORMATION

Correspondence Customer

Number:: 26541
 Name:: Ritter, Lang & Kaplan LLP
 Street of mailing address:: 12930 Saratoga Avenue, Suite D1
 City of mailing address:: Saratoga
 State of mailing address:: CA
 Country of mailing address:: USA
 Zip Code of mailing address:: 95070
 Phone Number:: 408-446-8690
 Fax Number:: 408-446-8691
 E-Mail address:: ckaplan@rklaw.com

DOMESTIC PRIORITY INFORMATION

| | | | |
|---------------|-------------------|----------------------|----------------------|
| Application:: | Continuity Type:: | Parent Application:: | Parent Filing Date:: |
|---------------|-------------------|----------------------|----------------------|

| | | | |
|--|--|--|--|
| | | | |
| | | | |
| | | | |

FOREIGN PRIORITY INFORMATION

| Country:: | Application number:: | Filing Date:: | Priority Claimed:: |
|-----------|----------------------|---------------|--------------------|
| | | | Yes or No |
| | | | |
| | | | |

ASSIGNEE INFORMATION

Assignee name:: Honda R & D Americas, Inc.
 Street of mailing address:: 21001 State Route 739
 City of mailing address:: Raymond
 State of mailing address:: OH
 Country of mailing address:: US
 Zip Code of mailing address:: 43067



Exhibit C
Pg 8 of 8

In the United States Patent & Trademark Office
FILING ACKNOWLEDGMENT

| | | | |
|---------------|---|-----------------|-----------------|
| Mailing Date: | July 9, 2004 | Application No. | 10/642,352 |
| Atty Docket: | SYMXP011 | Filing Date | August 15, 2003 |
| Applicant | Youqi Wang et al. | Atty/Sec | CSK/mrc |
| Title: | SYSTEM FOR SYNTHESIS OF ELECTRODE ARRAY | | |

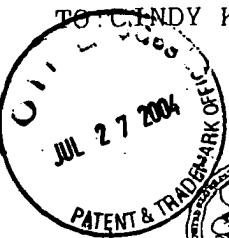
| | |
|---|------------------------------|
| 1 | PTO/SB/21 Transmittal Sheet |
| 1 | Request for Status |
| 1 | Copy of Stamped Post Card |
| 4 | Initial ADS |
| 1 | This Return Postcard |
| 8 | TOTAL PAGES SUBMITTED |

Please stamp the date of receipt of the enclosed documents and return this card to addressee.

TO: CINDY KAPLIN COMPANY:

Exhibit D

Pg 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/642,352 | 08/15/2003 | 1745 | 0.00 | SYNXPCH | 7 | 51 | 3 |

CONFIRMATION NO. 1608

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FILING RECEIPT



OC000000011433739

Date Mailed: 12/08/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

RITTER, LANG, & KAPLAN LLP

JUL 15 2004

Domestic Priority data as claimed by applicant

DOCKETED

Foreign Applications

If Required, Foreign Filing License Granted: 12/05/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

System for synthesis of electrode array

Preliminary Class

429

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

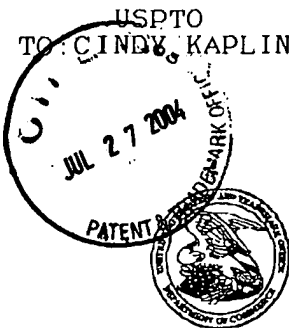
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/642,352 | 08/15/2003 | | SYNXP011 |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CONFIRMATION NO. 1608

FORMALITIES LETTER



OC000000011433740

Date Mailed: 12/08/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

RITTER, LANG, & KAPLAN LLP

Filing Date Granted

JUL 15 2004

DOCKETED

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Page(s) 1 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing

date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$558** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1458** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$558**
 - **\$558** for **31** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

SYMXP011

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, YOUQI WANG, entitled SYSTEM FOR SYNTHESIS OF ELECTRODE ARRAY, for a(n):

- (X) Original Patent Application.
- () Continuing Application (prior application not abandoned):
 () Continuation () Divisional () Continuation-in-part (CIP)
 of prior Application No. _____, filed _____.
- () Please insert (or replace the previous claim of priority) after the title of the application "This is a
 () Continuation () Divisional () Continuation-in-part (CIP)
 of Application No. _____, filed _____, which is hereby incorporated by reference."
- () This application claims the benefit of U.S. Provisional Application
 No. _____, filed _____.

Enclosed are:

- (X) Specification; 45 Total Pages. (X) Drawing(s); 7 Total Sheets.
- () Oath or Declaration:
 () A Newly Executed Combined Declaration and Power of Attorney:
 () Signed. () Unsigned. () Partially Signed.
- () A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
 () Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
- () Power of Attorney. (X) Return Receipt Postcard.
- () Associate Power of Attorney. () A Check in the amount of \$_____ for the Filing Fee.
- () Preliminary Amendment. () Information Disclosure Statement and Form PTO-1449.
- () A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
- () A Certified Copy of Priority Documents (if foreign priority is claimed).
- () Statement(s) of Status as a Small Entity.
- () Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
- () Other: _____

PLEASE DO NOT CHARGE THE FILING FEE AT THIS TIME.

Respectfully submitted,

By: Cindy Kaplan

Cindy Kaplan, Reg. No. 40,043

Date: August 15, 2003

Correspondence Address:

Customer No. 26541
 RITTER, LANG & KAPLAN LLP
 12930 Saratoga Ave., Suite D1
 Saratoga, CA 95070
 Phone: 408-446-8690
 Fax: 408-446-8691

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By: Kimberly Melvin

Typed Name: Kimberly Melvin

Express Mail Label No.: EV338318318US
 Date of Deposit: August 15, 2003